

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STEEL WORKERS
LOCAL 12-369, STEPHANIE B.
GREEN, DAVID ROBERTS,

Plaintiffs,

v.

UNITED STEEL, PAPER AND
FORESTRY, RUBBER,
MANUFACTURING, ENERGY,
ALLIED INDUSTRIAL AND
SERVICE WORKERS
INTERNATIONAL UNION, *et al.*,

Defendants.

NO. CV-07-5053-RHW

**ORDER GRANTING
STIPULATION FOR
PROTECTIVE ORDER, IN
PART; GRANTING
STIPULATED MOTION FOR
PROTECTIVE ORDER**

Before the Court is the parties' Stipulation for Protective Order (Ct. Rec. 112) and Stipulated Motion for Protective Order (Ct. Rec. 133).

The parties have proposed a Stipulated Protective Order, which for the most part, complies with the Federal Rules of Discovery and does not concern the Court. The proposed Protective Order contains the following language, which is problematic with respect to the public's common law right and First Amendment right to access court proceedings:

7. If counsel intends to file any motion, opposition, reply or any other filing with the Court and attach thereto and set forth therein any document or information that has been designated as

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1 CONFIDENTIAL under this Stipulation and Order, counsel shall file
2 the document or information designated as CONFIDENTIAL under
3 seal.

4 The Eastern District of Washington has specific procedures to follow when
5 filing documents under seal. Generally, before a document is filed under seal in
6 the court record, the parties must first obtain permission from the Court to do so.
7 Therefore, the Court strikes Paragraph 7 from the Stipulated Protective Order and
8 instead, instructs the parties to follow the procedures established by the Eastern
9 District of Washington when filing previously designated CONFIDENTIAL
10 information in the court record.

11 Accordingly, **IT IS HEREBY ORDERED:**

12 1. The parties' Stipulation for Protective Order (Ct. Rec. 112) is
13 **GRANTED**, in part.

14 2. The parties' Stipulated Motion for Protective Order (Ct. Rec. 133) is
15 **GRANTED**.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
17 Order and forward copies to counsel.

18 **DATED** this 12th day of June, 2009.

19 *s/ Robert H. Whaley*

20 ROBERT H. WHALEY
21 Chief United States District Judge
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